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Attorney Docket No. 71286.010110

Appl. No. 09/781,491  
Response dated May 25, 2004  
Resp. to Office Action of November 25, 2003

APPL. NO. : 09/781,491  
APPLICANT : Clouatre, et al.  
TITLE : Methods and Pharmaceutical Preparations for Normalizing Blood Pressure with (-)-Hydroxycitric Acid  
EXAMINER : Dwayne C. Jones  
DOCKET NO. : 71286.010110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131(A)

Dear Sir:

I, Dallas Clouatre, an inventor in the above-identified patent application, declare as follows:

1. That prior to April 22, 1999, I and my co-inventor, James Dunn, conceived of experiments to monitor the effect of hydroxycitrate on weight loss and blood pressure in obese human subjects as detailed in Example 1 (page 9) of the above-referenced patent application. These studies were conducted at the Oliver Health Foundation through a collaboration with Dr. George F. Jackson Jr., M.D., Assistant Professor in the Department of Surgery at Charles R. Drew University of Medicine and Science, Los Angeles, CA;

2. As detailed in Exhibit A through Exhibit D, human subjects receiving hydroxycitrate showed decreased blood pressure. Exhibit A, Exhibit B, Exhibit C, and Exhibit D show the experimental data that correspond to Patent #2, Patient #3, Patient #4, and Patient #8, respectively, presented in the Table in Example 1 (page 10) of the above-referenced patent application. We recognized the therapeutic value of the unexpected hypotensive effect of hydroxycitrate on the humans and followed-up these studies with a study in rats to further elucidate a potential mechanism for the hydroxycitrate-mediated hypotensive effect as detailed in Example 2 (pages 10-11) of the above-referenced patent application. Results described and presented in the Exhibits attached herewith were obtained prior to April 22, 1999;

3. We prepared a provisional patent application USSN 60/181,285 detailing the effect of hydroxycitrate to normalize blood pressure which was filed with the United States Patent and Trademark Office on February 9, 2000.

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The declarant further states that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: 05/24/04

  
Signature of: Dallas Clouatre